

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

NOKIA CORPORATION and NOKIA,
INC.,

Plaintiffs,

v.

INTERDIGITAL COMMUNICATIONS
CORPORATION and INTERDIGITAL
TECHNOLOGY CORPORATION,

Defendants.

C.A. No. 05-16-JJF

**DECLARATION OF ILKKA NIVA IN SUPPORT OF NOKIA'S OPPOSITION
TO INTERDIGITAL'S MOTION TO DISMISS**

Pursuant to 28 U.S.C. § 1746, I, Ilkka Niva, declare and say as follows:

1. My name is Ilkka Niva. I presently hold the title Director, CDMA2000 Standards for the Standardization & Industry Relations business unit of Nokia, Inc. in San Diego, California.

2. I make this declaration in support of Nokia's Opposition to Defendants' Motion To Dismiss Pursuant to Federal Rules of Civil Procedure 12(B)(1), 12(B)(6) and 12(H)(3). Except as otherwise stated, I have personal knowledge of the facts set forth in this declaration.

3G Wireless Standards

3. There are two 3G wireless standards that will be used in the United States after 2006: Wideband Code Division Multiple Access ("WCDMA") and CDMA2000.

The CDMA2000 Standard

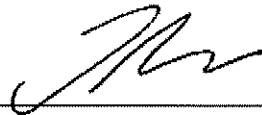
4. CDMA2000 is an outgrowth of the CDMAOne or IS-95 standard.
5. There are three variants of CDMA2000 that may be used in the United States after 2006: 1X, EV-DO and EV-DV.
6. CDMA2000 1X uses much of the same technology as CDMAOne except it transfers information more efficiently. Consequently, CDMA2000 1X can double voice-call capacity and transfer data ten times faster than 2G CDMA systems.
7. EV-DO differs from 1X in that EV-DO offers improved data rates of 3.1 Mbps.
8. The first two releases of the EV-DO standard, releases 0 and A, are frozen and complete such that standards compliant commercial products can and are being built to these releases.
9. EV-DV differs from EV-DO in that it combines data and voice information onto a single CDMA frequency carrier to more efficiently transfer information.
10. The latest release of the EV-DV standard, release D, is frozen and complete such that standards compliant commercial products can be built to this release.
11. CDMA2000 networks have been primarily adopted in Asia, Latin America and North America. As of January 1, 2005, there were approximately 150 million CDMA2000 1X subscribers worldwide and approximately 12 million EV-DO subscribers worldwide.
12. To design and build a CDMA2000 compliant product requires approximately one to two years from when the relevant standard is finalized. Thus, if

Nokia were to change its handset design and operation, such changes would not likely appear in commercial products for at least a year.

13. The next release of the CDMA2000 NxEV-DO standard is not expected to issue until 2006. Accordingly, commercial products compliant with the next version of CDMA2000 NxEV-DO are not expected to be available until sometime after the end of 2006.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 25 day of April, 2005.



ILKKA NIVA

I, Jack B. Blumenfeld, hereby certify that on April 28, 2005 I electronically filed Declaration of Ilkka Niva in Support of Nokia's Opposition to Interdigital's Motion to Dismiss with the Clerk of the Court using CM/ECF, which will send notification of such filing(s) to the following:

Richard L. Horwitz
Potter Anderson & Corroon LLP
rhorwitz@potteranderson.com

I also certify that copies were caused to be served on April 28, 2005 upon the following in the manner indicated:

BY HAND

Richard L. Horwitz
Potter Anderson & Corroon LLP
1313 N. Market Street
Wilmington, DE 19801

BY FEDERAL EXPRESS

D. Dudley Oldham
Fulbright & Jaworski
1301 McKinney
Suite 5100
Houston, TX 77010

/s/ Jack B. Blumenfeld (#1014)
Morris, Nichols, Arsht & Tunnell
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@mnat.com